



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Emmanuel Esteban LOZANO-Rios

Daniel Martin BRICENO-Rodriguez

Defendant.

Magistrate Case No.: **'08 MJ 86 23**

COMPLAINT FOR VIOLATION OF

21 U.S.C. § 952 and 960

Importation of a Controlled Substance  
(Felony)

The undersigned complainant being duly sworn states:

That on or about July 9, 2008, within the Southern District of California, defendant Emmanuel Esteban LOZANO-Rios and Daniel Martin BRICENO-Rodriguez did knowingly and intentionally import approximately 21.34 kilograms (46.95 pounds) of cocaine a Schedule II Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.

*Thomas E. BL*  
\_\_\_\_\_  
Special Agent  
U.S. Immigration & Customs  
Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 10TH,  
DAY OF JULY 2008.

*Peter C. Lewis*  
\_\_\_\_\_  
PETER C. LEWIS  
UNITED STATES MAGISTRATE JUDGE

1  
2 UNITED STATES OF AMERICA

3 v.

4 Emmanuel Esteban LOZANO-Rios

5 Daniel Martin BRICENO-Rodriguez

6 STATEMENT OF FACTS

7 This statement of facts is based on the reports, documents, and notes furnished  
8 to US Immigration and Customs Enforcement Special Agent (SA) Behm.

9 On July 9, 2008 at approximately 1629 hours, Emmanuel Esteban LOZANO-Rios  
10 and Daniel Martin BRICENO-Rodriguez entered the United States at the Calexico,  
11 California, West Port of Entry. LOZANO was the driver and BRICENO the passenger  
12 of a Toyota Camry. The primary inspector, CBPO C. Cisneros, noticed that the pair's  
13 hands and legs were shaking. The primary inspector referred the vehicle to the  
14 secondary lot for closer examination.

15 In the vehicle secondary lot CBPO E. Barroso utilized his assigned canine and  
16 received an alert to the dashboard. CBPO Barroso informed CBPO M. Lue of the alert.

17 CBPO Lue, searched the vehicle and discovered several packages in the dash  
18 board. A package was probed by CBPO Lue and a sample of a white powdery  
19 substance was obtained, which field tested positive for cocaine. The packages had a  
20 net weight of approximately 21.34 kilograms (46.95 pounds).

21 BRICENO was placed under arrest and advised of his Constitutional Rights, by  
22 SA Esparza, which he acknowledged and waived, agreeing to answer questions.  
23 LOZANO admitted that he was bringing "Drugs" into the US and stated that he thought  
24 it was marijuana.

25 LOZANO was placed under arrest and advised of his Constitutional Rights, by  
26 SA Esparza, which he acknowledged and waived, agreeing to answer questions.  
27 LOZANO stated that he thought the vehicle contained marijuana.  
28  
29